

of the first applicable pay period beginning on or after January 1, 2009.

Sec. 8. Prior Order Superseded. Executive Order 13454 of January 4, 2008, is superseded.

George W. Bush

The White House,
December 18, 2008.

[Filed with the Office of the Federal Register, 8:45 a.m., December 22, 2008]

NOTE: This Executive order and its annexes will be published in the *Federal Register* on December 23.

Memorandum on Unexpected Urgent Humanitarian Needs Related to the Democratic Republic of Congo, Rwanda, and Uganda

December 18, 2008

Presidential Determination No. 2009-9

Memorandum for the Secretary of State

Subject: Unexpected Urgent Humanitarian Needs Related to the Democratic Republic of Congo, Rwanda, and Uganda

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the "Act"), as amended, (22 U.S.C. 2601 and 2603) and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act in an amount not to exceed \$6 million from the United States Emergency Refugee and Migration Assistance Fund, for the purpose of meeting unexpected and urgent refugee and migration needs related to humanitarian needs of Congolese refugees and internally displaced, including by contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State; and

(2) The functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to your subordinates, consistent with applicable law.

You are authorized and directed to publish this memorandum in the *Federal Register*.

George W. Bush

Remarks on the American Auto Industry

December 19, 2008

Good morning. For years, America's automakers have faced serious challenges: burdensome costs, a shrinking share of the market, and declining profits. In recent months, the global financial crisis has made these challenges even more severe. Now some U.S. auto executives say that their companies are nearing collapse, and that the only way they can buy time to restructure is with help from the Federal Government.

This is a difficult situation that involves fundamental questions about the proper role of Government. On the one hand, Government has a responsibility not to undermine the private enterprise system. On the other hand, Government has a responsibility to safeguard the broader health and stability of our economy.

Addressing the challenges in the auto industry requires us to balance these two responsibilities. If we were to allow the free market to take its course now, it would almost certainly lead to disorderly bankruptcy and liquidation for the automakers. Under ordinary economic circumstances, I would say this is the price that failed companies must pay, and I would not favor intervening to prevent the automakers from going out of business.

But these are not ordinary circumstances. In the midst of a financial crisis and a recession, allowing the U.S. auto industry to collapse is not a responsible course of action. The question is how we can best give it a chance to succeed. Some argue the wisest

pass—wisest path is to allow the auto companies to reorganize through Chapter 11 provisions of our bankruptcy laws and provide Federal loans to keep them operating while they try to restructure under the supervision of a bankruptcy court. But given the current state of the auto industry and the economy, Chapter 11 is unlikely to work for American automakers at this time.

American consumers understand why: If you hear that a car company is suddenly going into bankruptcy, you worry that parts and servicing will not be available, and you question the value of your warranty. And with consumers hesitant to buy new cars from struggling automakers, it would be more difficult for auto companies to recover.

Additionally, the financial cross—crisis brought the auto companies to the brink of bankruptcy much faster than they could have anticipated. And they have not made the legal and financial preparations necessary to carry out an orderly bankruptcy proceeding that could lead to a successful restructuring.

The convergence of these factors means there is too great a risk that bankruptcy now would lead to a disorderly liquidation of American auto companies. My economic advisers believe that such a collapse would deal an unacceptably painful blow to hard-working Americans far beyond the auto industry. It would worsen a weak job market and exacerbate the financial crisis. It could send our suffering economy into a deeper and longer recession, and it would leave the next President to confront the demise of a major American industry in his first days of office.

A more responsible option is to give the auto companies an incentive to restructure outside of bankruptcy and a brief window in which to do it. And that is why my administration worked with Congress on a bill to provide automakers with loans to stave off bankruptcy while they develop plans for viability. This legislation earned bipartisan support from majorities in both Houses of Congress.

Unfortunately, despite extensive debate and agreement that we should prevent disorderly bankruptcies in the American auto industry, Congress was unable to get a bill to my desk before adjourning this year.

This means the only way to avoid a collapse of the U.S. auto industry is for the executive

branch to step in. The American people want the auto companies to succeed, and so do I. So today I'm announcing that the Federal Government will grant loans to auto companies under conditions similar to those Congress considered last week.

These loans will provide help in two ways. First, they will give automakers 3 months to put in place plans to restructure into viable companies, which we believe they are capable of doing. Second, if restructuring cannot be accomplished outside of bankruptcy, the loans will provide time for companies to make the legal and financial preparations necessary for an orderly Chapter 11 process that offers a better prospect of long-term success and gives consumers confidence that they can continue to buy American cars.

Because Congress failed to make funds available for these loans, the plan I am announcing today will be drawn from the financial rescue package Congress approved earlier this fall. The terms of the loans will require auto companies to demonstrate how they would become viable. They must pay back all their loans to the Government and show that their firms can earn a profit and achieve a positive net worth. This restructuring will require meaningful concessions from all involved in the auto industry—management, labor unions, creditors, bondholders, dealers, and suppliers.

In particular, automakers must meet conditions that experts agree are necessary for long-term viability, including putting their retirement plans on a sustainable footing, persuading bondholders to convert their debt into capital the companies need to address immediate financial shortfalls, and making their compensation competitive with foreign automakers who have major operations in the United States. If a company fails to come up with a viable plan by March 31st, it will be required to repay its Federal loans.

The automakers and unions must understand what is at stake and make hard decisions necessary to reform. These conditions send a clear message to everyone involved in the future of American automakers: The time to make the hard decisions to become viable is now, or the only option will be bankruptcy.

The actions I'm announcing today represent a step that we wish were not necessary. But given the situation, it is the most effective and responsible way to address this challenge facing our Nation. By giving the auto companies a chance to restructure, we will shield the American people from a harsh economic blow at a vulnerable time. And we will give American workers an opportunity to show the world once again they can meet challenges with ingenuity and determination and bounce back from tough times and emerge stronger than before.

Thank you.

NOTE: The President spoke at 9:01 a.m. in the Roosevelt Room at the White House. In his remarks, he referred to President-elect Barack Obama. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

Remarks on the Unveiling of the Official Portraits of President George W. Bush and First Lady Laura Bush

December 19, 2008

Secretary Clough, thank you for the introduction. Thanks for coming. I suspected there would be a good-size crowd once the word got out about my hanging. *[Laughter]*

It's a tremendous honor to have my portrait added to this gallery's Presidential collection. This is one of only two institutions with portraits of every President, starting with our first, George Washington. That means this exhibit now has an interesting symmetry. It starts with George W. and ends with George W. *[Laughter]*

I want to thank the Vice President and Chief Justice for joining us. I thank members of Smithsonian Institute's Board of Regents. I, too, appreciate Marty Sullivan being here. I want to thank members of my Cabinet, administration, and friends.

I am grateful to all the people who made this painting possible. We really appreciate your generosity. I thank the donors for coming today. They remind me of an interesting story about this collection. In 1857, the artist George Healy was commissioned by Congress to paint Presidents John Q. Adams, Van

Buren, Tyler, Polk, Fillmore, Pierce, and Buchanan. But by the time Healy got to President Buchanan, the Civil War had broken out, and an angry Congress held the former President to blame. And so when Healy presented his bill for Buchanan's portrait, the lawmakers refused to pay. Things are bad when even Congress refuses to spend money. *[Laughter]*

I want to thank the artists. Sasha, you had it easy; it does not take much to make Laura look beautiful. *[Laughter]* Anderson had a bigger challenge. *[Laughter]* And therefore, I needed to find a person who would do the painting that would be a good and forgiving friend. And so I want to thank my buddy—my college classmate Bob Anderson for painting this portrait. It actually looks like me, which is a good sign. *[Laughter]* You did a fabulous job.

This is not the first time that Bob has painted me. He had a warm-up; he did my portrait for the Yale Club. Recently, I asked him what was different this time around. He said, well, this time around he had to use a lot more gray. *[Laughter]* I also understood Bob didn't have any difficulty depicting my eyes or my hands, but he had a lot of trouble with my mouth. And I told him, "That makes two of us." *[Laughter]*

A former Washington resident once said: "Whenever you hear about somebody being done in oil in this town, you can't be sure whether that means painting or boiling." *[Laughter]* That was a wise observation from a good and decent man; one who has offered me a lot of wisdom and advice throughout my life. And I am proud to have my portrait in the same room as President 41, George H.W. Bush.

It's a humbling experience to be included here among so many extraordinary leaders. One of the great things about this collection is that visitors can examine the faces of the men who have shaped our Nation's history and study how history has shaped them. In each of their images, we're reminded of the incredible joys and responsibilities that come with the Presidency. Yet in these two centuries of history, we're also reminded that this office and the enduring ideals it represents are greater than any person.